| 1 | 2 | 3 | 4 |
|---|---|---|---|
| 1993 | 1334 | 36 | 1370 |
| 1994 | 1520 | 47 | 1567 |
| 1995 | 1603 | 76 | 1679 |
| 1996 | 1599 | 99 | 1698 |
| 1997 | 1716 | 238 | 1954 |
| 1998 | 2052 | 221 | 2273 |
| 1999 | 1662 | 418 | 2080 |
| 2000 | 2857 | 521 | 3378 |
| 2001 | 2723 | 519 | 3242 |
| 2002 | 5047 | 1045 | 6092 |
| 2003 | 7464 | 3484 | 10948 |
| 2004 | 16332 | 2195 | 18527 |
| 2005 | 7160 | 1440 | 8600 |
| TOTAL : | 60958 | 11323 | 72281 |

**Shortage of judges**

†1516. SHRI RAM JETHMALANI:
SHRI RAJ MOHINDER SINGH MAJITHA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the existing numbers of judges working in Supreme Court and High Courts of the country are less than their sanctioned strength;

(b) if so, whether Government have assessed its adverse impact on functioning of the courts; and

(c) if so, the details thereof and the estimated number of cases per annum which remained unsettled as a result thereof?

† Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) The sanctioned strength as also the number of posts lying vacant in Supreme Court and various High Courts as on 1.8.2005 is given at Statement-I (*See* below):—

Filling up of vacancies in the Supreme Court and High Courts is a continuous consultative process among the constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges.

Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the next six months. In response to these efforts, 86 proposals for appointments have been received from the Chief Justices of High Courts with regard to 134 vacancies obtaining as on 1.8.2005.

A Statement showing the pedency position in the High Courts as per the information available is given at Statement-II (*See* below).

The pendency of cases in the Courts could be ascribed to variou factors, which *inter-alia,* include vacancies of Judges, new legislations, substantial increase in fresh institution of cases, rise in population, heightened awareness of rights on the part of the citizens, granting of adjournments, industrial development in the country, increase in trade and commerce and socio-economic matters, legislative and administrative aspects touching on the life of citizens, lawyers' strikes etc.

***Statement-I***

*Statement showing the sanctioned strength, No. of Judges in position, vacancies in the Supreme Court and High Courts and the proposals in the pipeline as on* 1.8.2005

| Sl. No. | Name of the Court | Sanctioned strength | Judges in position | Number of vacancies | No. of recommendations received |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| A. | Supreme Court of India | 26 | 23 | 03 | — |
| B. | High Courts | | | | |
| 1. | Allanabad | 95 | 74 | 21 | 15 |
| 2. | Andhra Pradesh | 39 | 30 | 09 | — |
| 3. | Bombay | 60 | 60 | — | — |
| 4. | Calcutta | 50 | 33 | 17 | 13 |
| 5. | Chhattisgarh | 08 | 08 | — | — |
| 6. | Delhi | 33 | 28 | 05 | 03 |
| 7. | Gauhati | 19 | 18 | 01 | — |
| 8. | Gujarat | 42 | 35 | 07 | — |
| 9. | Himachal Pradesh | 08 | 07 | 01 | 03 |
| 10. | Jammu & Kashmir | 14 | 11 | 03 | 01 |
| 11. | Jharkhand | 12 | 06 | 06 | 05 |
| 12. | Karnataka | 40 | 34 | 06 | 05 |
| 13. | Kerala | 29 | 28 | 01 | — |
| 14. | Madhya Pradesh | 36 | 32 | 04 | 06 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|---|---|---|---|
| 15. | Madras | 42 | 24 | 18 | 32 |
| 16. | Orissa | 20 | 14 | 06 | 02 |
| 17. | Patna | 31 | 23 | 08 | — |
| 18. | Punjab & Haryana | 40 | 29 | 11 | — |
| 19. | Rajasthan | 40 | 31 | 09 | 01 |
| 20. | Sikkim | 03 | 02 | 01 | — |
| 21. | Uttaranchal | 09 | 09 | — | — |
| | TOTAL : | 670 | 536 | 134 | 86 |

***Statement-II***

*Statement showing pendency of cases in the High Courts as on* 31.12.2004

| Sl. No. | Name of the High Court | Civil cases | Criminal cases | Total |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Allahabad | 544655 | 175993 | 720648 |
| 2. | A.P. | 164915 | 17226 | 182141 |
| 3. | Bombay | 288454 | 37330 | 325784 |
| 4. | Calcutta | 212448 | 40270 | 252718 |
| 5. | Delhi | 60353 | 10772 | 71125 |
| 6. | Gujarat | 113505 | 25962 | 139467 |
| 7. | Gauhati | 50442 | 6939 | 57381 |
| 8. | H.P. | 17939 | 5600 | 23539 |
| 9. | Jammu & Kashmir | 42417 | 2435 | 44852 |
| 10. | Karnataka | 118899 | 10754 | 129653 |

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| 11. | Kerala | 113652 | 21752 | 135404 |
| 12. | Madras | 275730 | 23029 | 298759 |
| 13. | M.P. | 141785 | 59133 | 200918 |
| 14. | Orissa | 91996 | 14553 | 106549 |
| 15. | Patna | 63290 | 21658 | 84948 |
| 16. | Punjab & Haryana | 218457 | 46845 | 265302 |
| 17. | Rajasthan | 146447 | 57901 | 204348 |
| 18. | Sikkim | 50 | 5 | 55 |
| 19. | Uttaranchal | 29850 | 6048 | 35898 |
| 20. | Chhattisgarh | 42158 | 21574 | 63732 |
| 21. | Jharkhand | 20865 | 14947 | 35812 |
| | TOTAL : | 2758307 | 620726 | 3379033 |

**National Legal Services Authority Scheme**

†1517. PROF. R.B.S. VARMA:
SHRI PYARELAL KHANDELWAL:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that Government propose to bring improvement in the National Legal Services Authority Scheme;

(b) if so, the details thereof; and

(c) the objectives of the Legal Services Authority Scheme?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) and (b) The recent Conference of Law Ministers and Law Secretaries-2005 held in Shimla during 10-11 June, 2005, has made a number of recommendations for improving the Legal Aid System in the country. An extract of the relevant

† Original notice of the question was received in Hindi.